

**COLORADO DISCHARGE PERMIT SYSTEM (CDPS)  
FACT SHEET FOR PERMIT NUMBER CO0037702  
VISTA VERDE VILLAGE, LLC, VISTA VERDE VILLAGE, LLC. WWTF  
MONTEZUMA COUNTY**

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**I. TYPE OF PERMIT**

- A. Permit Type:** Domestic - Minor Municipal, Lagoon System, Fifth Renewal
- B. Discharge To:** Surface Water

**II. FACILITY INFORMATION**

- A. SIC Code:** 4952 Sewerage Systems
- B. Facility Classification:** Class D per Section 100.5.2 of the Water and Wastewater Facility Operator Certification Requirements
- C. Facility Location:** Latitude: 37.35356° N, Longitude: 108.53188° W
- D. Permitted Feature:** 001A, 37.3535° N, 108.53188° W

The location(s) provided above will serve as the point(s) of compliance for this permit and are appropriate as they are located after all treatment and prior to discharge to the receiving water.

- E. Facility Flows:** 0.03 MGD

#### **F. Major Changes From Last Renewal:**

Ammonia limitations based on the AMMTOX model are included after the expiration of the temporary modification on June 30, 2014.

### **III. RECEIVING STREAM**

#### **A. Waterbody Identification:** *COSJLP07a, McElmo Creek*

#### **B. Water Quality Assessment:**

An assessment of the stream standards, low flow data, and ambient stream data has been performed to determine the assimilative capacities for *McElmo Creek* for potential pollutants of concern. This information, which is contained in the Water Quality Assessment (WQA) for this receiving stream(s), also includes an antidegradation review, where appropriate. The Division's Permits Section has reviewed the assimilative capacities to determine the appropriate water quality-based effluent limitations as well as potential limits based on the antidegradation evaluation, where applicable. The limitations based on the assessment and other evaluations conducted as part of this fact sheet can be found in Part I.A of the permit.

Permitted Feature 001A will continue to be the authorized discharge point to the receiving stream.

### **IV. FACILITY DESCRIPTION**

#### **A. Infiltration/Inflow (I/I)**

No infiltration/inflow problems have been documented in the service area.

#### **B. Lift Stations**

There are no lift stations in the service area.

#### **C. Chemical Usage**

The permittee did not specify any chemicals for use in waters that may be discharged. On this basis, no chemicals are approved under this permit. Prior to use of any applicable chemical, the permittee must submit a request for approval that includes the most current Material Safety Data Sheet (MSDS) for that chemical. Until approved, use of any chemical in waters that may be discharged could result in a discharge of pollutants not authorized under the permit. Also see Part II.A.1. of the permit.

#### **D. Treatment Facility, Facility Modifications and Capacities**

The facility consists of aerated lagoon system. The permittee has not performed any construction at this facility that would change the hydraulic capacity of 0.03 MGD or the organic capacity of 65.6 lbs BOD<sub>5</sub>/day, which were specified in Site Approval #3396. That document should be referred to for any additional information.

Pursuant to Section 100.5.2 of the Water and Wastewater Facility Operator Certification Requirements, this facility will require a Class D certified operator.

## E. Sludge Treatment and Disposal

Since the treatment facility consists of aerated lagoons, sludge removal will probably be infrequent (once every 5 to 10 years) and only take place if the ponds are drained and cleaned. If sludge is removed from the lagoons for any reason, it must be disposed of in accordance with local, State and Federal regulations.

### 1. EPA General Permit

EPA Region 8 issued a General Permit (effective October 19, 2007) for Colorado facilities whose operations generate, treat, and/or use/dispose of sewage sludge by means of land application, landfill, and surface disposal under the National Pollutant Discharge Elimination System. All Colorado facilities are required to apply for and to obtain coverage under the EPA General Permit.

### 2. Biosolids Regulation (Regulation No. 64, Colorado Water Quality Control Commission)

While the EPA is now the issuing agency for biosolids permits, Colorado facilities that land apply biosolids must comply with requirements of Regulation No. 64, such as the submission of annual reports as discussed later in this rationale.

## V. PERFORMANCE HISTORY

### A. Monitoring Data

1. Discharge Monitoring Reports – The following tables summarize the effluent data reported on the Discharge Monitoring Reports (DMRs) for the previous permit term, from September 2007 through September 2012.

**Table V-1 – Summary of DMR Data for Permitted Feature 001A**

<i>Parameter</i>	<i># Samples or Reporting Periods</i>	<i>Reported Average Concentrations Avg/Min/Max</i>	<i>Reported Maximum Concentrations Avg/Min/Max</i>	<i>Previous Avg/Max/AD Permit Limit</i>	<i>Number of Limit Excursions</i>
<i>Influent Flow (MGD)</i>	52	0.015/0.01/0.13	0.015/0.01/0.13	Report/Report	
<i>Effluent Flow (MGD)</i>	34	0.018/0.01/0.028	0.018/0.01/0.028	0.03/NA	
<i>DO (mg/l)</i>	34	8.3/7/9	8.3/7/9	NA/Report	
<i>pH (su)</i>	34	8.1/7.9/8.4	8.4/8.1/8.7	NA - 6.5-9.0	
<i>E. coli (#/100 ml)</i>	36	7.1/1/20000	7.1/1/20000	126/252	4/4
<i>TRC (mg/l)</i>	34	0.0032/<0.01/0.01	0.01/<0.01/0.05*	0.011/0.019	*No exceedence since occurred during old limit (0.1)
<i>NH3 as N, Tot (mg/l)</i>	34	17/0.41/36	17/0.41/36	NA/NA	

NH3 as N, Tot (mg/l) Jan	1	27/27/27	27/27/27	Report/Report	
NH3 as N, Tot (mg/l) Feb	3	28/17/35	28/17/35	Report/Report	
NH3 as N, Tot (mg/l) Mar	4	26/16/36	26/16/36	Report/Report	
NH3 as N, Tot (mg/l) Apr	1	32/32/32	32/32/32	32.1/Report	
NH3 as N, Tot (mg/l) May	3	17/13/22	17/13/22	24/Report	
NH3 as N, Tot (mg/l) Jun	4	19/13/25	19/13/25	Report/Report	
NH3 as N, Tot (mg/l) Jul	2	9.4/3.9/15	9.4/3.9/15	Report/Report	
NH3 as N, Tot (mg/l) Aug	4	6.9/0.41/12	6.9/0.41/12	Report/Report	
NH3 as N, Tot (mg/l) Sep	2	2.4/1.6/3.3	2.4/1.6/3.3	29.4/Report	
NH3 as N, Tot (mg/l) Oct	4	13/9.9/15	13/9.9/15	29.4/Report	
NH3 as N, Tot (mg/l) Nov	2	19/19/19	19/19/19	Report/Report	
NH3 as N, Tot (mg/l) Dec	4	19/14/21	19/14/21	Report/Report	
BOD5 (mg/l)	41	29/7.6/67	28/7.6/67	30/45/	15/6  6
BOD5, influent (mg/l)	52	249/155/501	249/155/501	NA/NA/	
BOD5, influent (lbs/day)	52	28/13/55	28/13/55	NA/NA/	
BOD5 (% removal)	37	88/71/97	NA/NA/NA	85/NA/	
TSS (mg/l)	34	27/6.4/54	27/6.4/54	75/110/	
TSS, influent (mg/l)	52	272/148/1160	272/148/1160	NA/NA/	
Oil and Grease (mg/l)	34	NA/NA/NA	0/0/0	NA/10/	
TDS (mg/l)		//	//	NA/NA/	
PWS intake (mg/l)	34	187/130/246	NA/NA/NA	NA/NA/	
WWTF effluent (mg/l)	34	346/152/490	NA/NA/NA	NA/NA/	

## B. Compliance With Terms and Conditions of Previous Permit

1. Effluent Limitations – The data shown in the preceding table(s) indicates compliance with the numeric limitations of the previous permit, except for E.coli and BOD<sub>5</sub>. However, the facility has not reported a DMR since 12/31/2011. Also, the facility did not report parameter testing regularly, as evidenced by the number of reporting. Note that the all reporting and non-compliance issues have been referred to the enforcement unit.

In accordance with 40 CFR Part 122.41(a), any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

## VI. DISCUSSION OF EFFLUENT LIMITATIONS

### A. Regulatory Basis for Limitations

1. Technology Based Limitations
  - a. Federal Effluent Limitation Guidelines – The Federal Effluent Limitation Guidelines for domestic wastewater treatment facilities are the secondary treatment standards. These standards have been adopted into, and are applied out of, Regulation 62, the Regulations for Effluent Limitations.
  - b. Regulation 62: Regulations for Effluent Limitations – These Regulations include effluent limitations that apply to all discharges of wastewater to State waters and are shown in Section

VIII of the WQA. These regulations are applicable to the discharge from the Vista Verde Village, LLC WWTF.

2. Numeric Water Quality Standards - The WQA contains the evaluation of pollutants limited by water quality standards. The mass balance equation shown in Section VI of the WQA was used for most pollutants to calculate the potential water quality based effluent limitations (WQBELs),  $M_2$ , that could be discharged without causing the water quality standard to be violated. For ammonia, the AMMTOX Model was used to determine the maximum assimilative capacity of the receiving stream. A detailed discussion of the calculations for the maximum allowable concentrations for the relevant parameters of concern is provided in Section V of the Water Quality Assessment developed for this permitting action.

The maximum allowable effluent pollutant concentrations determined as part of these calculations represent the calculated effluent limits that would be protective of water quality. These are also known as the water quality-based effluent limits (WQBELs). Both acute and chronic WQBELs may be calculated based on acute and chronic standards, and these may be applied as daily maximum (acute) or 30-day average (chronic) limits.

3. Narrative Water Quality Standards - Section 31.11(1)(a)(iv) of The Basic Standards and Methodologies for Surface Waters (Regulation No. 31) includes the narrative standard that State surface waters shall be free of substances that are harmful to the beneficial uses or toxic to humans, animals, plants, or aquatic life.
  - a. Whole Effluent Toxicity - The Water Quality Control Division has established the use of WET testing as a method for identifying and controlling toxic discharges from wastewater treatment facilities. WET testing is being utilized as a means to ensure that there are no discharges of pollutants "in amounts, concentrations or combinations which are harmful to the beneficial uses or toxic to humans, animals, plants, or aquatic life" as required by Section 31.11 (1) of the Basic Standards and Methodologies for Surface Waters. The requirements for WET testing are being implemented in accordance with Division policy, Implementation of the Narrative Standard for Toxicity in Discharge Permits Using Whole Effluent Toxicity (Sept 30, 2010). Note that this policy has recently been updated and the permittee should refer to this document for additional information regarding WET.
4. Water Quality Regulations, Policies, and Guidance Documents
  - a. Antidegradation - Since the receiving water is Undesignated, an antidegradation review is required pursuant to Section 31.8 of The Basic Standards and Methodologies for Surface Water. As set forth in Section VII of the WQA, an antidegradation evaluation was conducted for pollutants when water quality impacts occurred and when the impacts were significant. Based on the antidegradation requirements and the reasonable potential analysis discussed above, antidegradation-based average concentrations (ADBACs) may be applied.

According to Division procedures, the facility has three options related to antidegradation-based effluent limits: (1) the facility may accept ADBACs as permit limits (see Section VII of the WQA); (2) the facility may select permit limits based on their non-impact limit (NIL), which would result in the facility not being subject to an antidegradation review and thus the antidegradation-based average concentrations would not apply (the NILs are also contained in Section VII of the WQA); or (3) the facility may complete an alternatives analysis as set forth in

Section 31.8(3)(d) of the regulations which would result in alternative antidegradation-based effluent limitations.

The effluent must not cause or contribute to an exceedance of a water quality standard and therefore the WQBEL must be selected if it is lower than the NIL. Where the WQBEL is not the most restrictive, the discharger may choose between the NIL or the ADBAC: the NIL results in no increased water quality impact; the ADBAC results in an “insignificant” increase in water quality impact. The ADBAC limits are imposed as two-year average limits.

- b. Antibacksliding – As the receiving water is designated Reviewable or Outstanding, and the Division has performed an antidegradation evaluation, in accordance with the Antidegradation Guidance, the antibacksliding requirements in Regulation 61.10 have been met.
- c. Determination of Total Maximum Daily Loads (TMDLs) – This stream segment is not on the State’s 303(d) list, and therefore TMDLs do not apply.
- d. Colorado Mixing Zone Regulations – Pursuant to section 31.10 of The Basic Standards and Methodologies for Surface Water, a mixing zone determination is required for this permitting action. The Colorado Mixing Zone Implementation Guidance, dated April 2002, identifies the process for determining the meaningful limit on the area impacted by a discharge to surface water where standards may be exceeded (i.e., regulatory mixing zone). This guidance document provides for certain exclusions from further analysis under the regulation, based on site-specific conditions.

The guidance document provides a mandatory, stepwise decision-making process for determining if the permit limits will not be affected by this regulation. Exclusion, based on Extreme Mixing Ratios, may be granted if the ratio of the facility design flow to the chronic low flow (30E3) is greater than 2:1 or if the ratio of the chronic low flow to the design flow is greater than 20:1. Since the ratio of the chronic low flow to the design flow is 0:1, the permittee is eligible for an exclusion from further analysis under the regulation.

- e. Salinity Regulations – In compliance with the Colorado River Salinity Standards and the Colorado Discharge Permit System Regulations, the permittee shall monitor for total dissolved solids on a **Quarterly** basis. Samples shall be taken at Permitted Feature 001A.

An evaluation of the discharge of total dissolved solids indicates that the Vista Verde Village, LLC facility does not exceed the threshold of 1 ton/day or 350 tons/year of salinity. To determine the TDS loading from this facility, the average reported TDS values were multiplied by the average flow, then by 8.34. The average was determined to be 0.026 tons/day.

- f. Reasonable Potential Analysis – Using the assimilative capacities contained in the WQA, an analysis must be performed to determine whether to include the calculated assimilative capacities as WQBELs in the permit. This reasonable potential (RP) analysis is based on the Determination of the Requirement to Include Water Quality Standards-Based Limits in CDPS Permits Based on Reasonable Potential, dated December, 2002. This guidance document utilizes both quantitative and qualitative approaches to establish RP depending on the amount of available data.

A qualitative determination of RP may be made where ancillary and/or additional treatment technologies are employed to reduce the concentrations of certain pollutants. Because it may be

anticipated that the limits for a parameter could not be met without treatment, and the treatment is not coincidental to the movement of water through the facility, limits may be included to assure that treatment is maintained.

A qualitative RP determination may also be made where a federal ELG exists for a parameter, and where the results of a quantitative analysis results in no RP. As the federal ELG is typically less stringent than a limitation based on the WQBELs, if the discharge was to contain concentrations at the ELG (above the WQBEL), the discharge may cause or contribute to an exceedance of a water quality standard.

To conduct a quantitative RP analysis, a minimum of 10 effluent data points from the previous 5 years, should be used. The equations set out in the guidance for normal and lognormal distribution, where applicable, are used to calculate the maximum estimated pollutant concentration (MEPC). For data sets with non-detect values, and where at least 30% of the data set was greater than the detection level, MDLWIN software is used consistent with Division guidance to generate the mean and standard deviation, which are then used to establish the multipliers used to calculate the MEPC. If the MDLWIN program cannot be used the Division's guidance prescribes the use of best professional judgment.

For some parameters, recent effluent data or an appropriate number of data points may not be available, or collected data may be in the wrong form (dissolved vs total) and therefore may not be available for use in conducting an RP analysis. Thus, consistent with Division procedures, monitoring will be required to collect samples to support a RP analysis and subsequent decisions for a numeric limit. A compliance schedule may be added to the permit to require the request of an RP analysis once the appropriate data have been collected.

For other parameters, effluent data may be available to conduct a quantitative analysis, and therefore an RP analysis will be conducted to determine if there is RP for the effluent discharge to cause or contribute to exceedances of ambient water quality standards. The guidance specifies that if the MEPC exceeds the maximum allowable pollutant concentration (MAPC), limits must be established and where the MEPC is greater than half the MAPC (but less than the MAPC), monitoring must be established. Table VI-1 contains the calculated MEPC compared to the corresponding MAPC, and the results of the reasonable potential evaluation, for those parameters that met the data requirements. The RP determination is discussed for each parameter in the text below.

**Table VI-1 – Reasonable Potential Analysis**

<i>Pollutant</i>	<i>Maximum of 30-Day Avg Effluent Conc. Or MEPC</i>	<i>30-Day Avg Proposed WQBEL</i>	<i>30-Day Avg RP</i>	<i>Maximum of Daily Max or 7-Day Avg Effluent Conc. Or MEPC</i>	<i>Daily Max or 7-Day Avg Proposed WQBEL</i>	<i>Daily Max RP</i>
E. coli (#/100 ml)	757395	126	Yes	757395	252	Yes
TRC (mg/l)	0.013	0.011	Yes	0.013	0.019	Yes (Qual)
NH3 as N, Tot (mg/l) Jan	26.7	1.6	Yes (Qual)	26.7	5.1	Yes (Qual)
NH3 as N, Tot (mg/l) Feb	34.8	1.7	Yes (Qual)	34.8	5	Yes (Qual)
NH3 as N, Tot (mg/l) Mar	36.2	1.3	Yes (Qual)	36.2	4.4	Yes (Qual)
NH3 as N, Tot (mg/l) Apr	32	1.47	Yes (Qual)	32	5.1	Yes (Qual)

NH3 as N, Tot (mg/l) May	22.4	1.28	Yes (Qual)	22.4	5	Yes (Qual)
NH3 as N, Tot (mg/l) Jun	24.8	1	Yes (Qual)	24.8	5.6	Yes (Qual)
NH3 as N, Tot (mg/l) Jul	14.8	1	Yes (Qual)	14.8	5.5	Yes (Qual)
NH3 as N, Tot (mg/l) Aug	12.2	1	Yes (Qual)	12.2	5.6	Yes (Qual)
NH3 as N, Tot (mg/l) Sep	3.3	1	Yes (Qual)	3.3	5.1	Yes (Qual)
NH3 as N, Tot (mg/l) Oct	15.4	1.2	Yes (Qual)	15.4	5.5	Yes (Qual)
NH3 as N, Tot (mg/l) Nov	19.3	1.2	Yes (Qual)	19.3	4.5	Yes (Qual)
NH3 as N, Tot (mg/l) Dec	21.2	1.6	Yes (Qual)	21.2	5.1	Yes (Qual)

## B. Parameter Evaluation

BOD<sub>5</sub> - The BOD<sub>5</sub> concentrations in Reg 62 are the most stringent effluent limits and are therefore applied. The removal percentages for BOD<sub>5</sub> also apply based on the Regulations for Effluent Limitations. These limitations are the same as those contained in the previous permit and are imposed upon the effective date of this permit.

Total Suspended Solids - The TSS concentrations in Reg 62 are the most stringent effluent limits and are therefore applied. These limitations are the same as those contained in the previous permit and are imposed upon the effective date of this permit. This is a lagoon system and therefore, percent removal requirement for TSS has been removed.

Oil and Grease - The oil and grease limitations from the Regulations for Effluent Limitations are applied as they are the most stringent limitations. This limitation is the same as those contained in the previous permit and is imposed upon the effective date of this permit.

pH - This parameter is limited by the water quality standards of 6.5-9.0 s.u., as this range is more stringent than other applicable standards. This limitation is the same as that contained in the previous permit and is imposed upon the effective date of this permit.

E. Coli - The limitation for E. Coli is based upon the WQBEL as described in the WQA. A qualitative determination of RP has been made as the treatment facility has been designed to treat specifically for this parameter. This limitation is the same as that contained in the previous permit and is imposed upon the effective date of this permit.

Total Residual Chlorine (TRC) - The limitation for TRC is based upon the WQBEL as described in the WQA. A qualitative determination of RP has been made as chlorine may be used in the treatment process. The facility had a compliance schedule for E. coli and TRC until January 1, 2012. The facility did not submit any DMRs since the new TRC and E. coli limits became effective. It is at this point not known that the facility can meet these limitations. The engineering report submitted by the facility indicates that these limitations “go hand in hand” and E.coli will require higher treatment levels and higher chlorine levels. The engineering report continues to state that more chlorination and dechlorination will be needed and the limit is achievable.

Total Recoverable Iron - This segment is listed in 303(d) state impaired waters list for this parameter. A TMDL will be developed for this parameter to bring the receiving water in compliance. Therefore, a monitoring requirement for this parameter will be added to the permit for data collection.

Ammonia - The limitation for ammonia is based upon the WQBEL as described in the WQA. A qualitative determination of RP has been made as the treatment facility has been designed to treat



specifically for this parameter.

As explained in the WQA, in the statement of basis (September 2012), the Water Quality Control Commission stated that “Temporary modifications were added or extended for existing discharges to these segments, based upon evidence that the dischargers could not meet water quality based effluent limits for ammonia. The Commission’s intent is to preserve the status quo during the term of the temporary modification. Existing discharges to these segments shall continue to be authorized to discharge ammonia at their current permitted concentration and flow levels, including a “report only” value. The Division will work with the existing dischargers to determine whether the table value standard for ammonia is necessary to protect the aquatic life uses of these segments. The uncertainty in the standard for each segment may be resolved through a site-specific standard or a discharger specific variance. The Commission does not intend that temporary modifications set at "current condition" will apply to new or expanded facilities. The progress on resolving the uncertainty with the ammonia standards will be reviewed in the annual Temporary Modification hearing in December 2013.” Therefore, the limitations based on CAM model provided in the previous permit will be implemented until the expiration of temporary modification on June 30, 2014.

If temporary modification is extended, the permittee should request a modification to the permit to push out the start date of the compliance schedule, otherwise the compliance schedule interim measures need to be completed as noted in Part I.B.5 of the permit.

Temperature- Based on the information presented in the WQA, this facility is exempt from the temperature requirements based on flow ratio’s.

Organics – The effluent is not expected or known to contain organic chemicals, and therefore, limitations for organic chemicals are not needed in this permit.

Whole Effluent Toxicity (WET) Testing – This is a domestic minor facility receiving no industrial/commercial discharge and therefore no metals are expected in the discharge. The ammonia is control with aquatic life based limitations no toxicity from ammonia is expected. Therefore, no WET testing will be required.

## **VII. ADDITIONAL TERMS AND CONDITIONS**

### **A. Monitoring**

Effluent Monitoring – Effluent monitoring will be required as shown in the permit document. Refer to the permit for locations of monitoring points. Monitoring requirements have been established in accordance with the frequencies and sample types set forth in the Baseline Monitoring Frequency, Sample Type, and Reduced Monitoring Frequency Policy for Industrial and Domestic Wastewater Treatment Facilities. This policy includes the methods for reduced monitoring frequencies based upon facility compliance as well as for considerations given in exchange for instream monitoring programs initiated by the permittee. Table VI-2 shows the results of the reduced monitoring frequency analysis for Permitted Feature 001A, based upon compliance with the previous permit.

**Table VI-2 – Monitoring Reduction Evaluation**

<i>Parameter</i>	<i>Proposed Permit Limit</i>	<i>Average of 30-Day (or Daily Max) Average Conc.</i>	<i>Standard Deviation</i>	<i>Long Term Characterization (LTC)</i>	<i>Reduction Potential</i>
<i>pH (su) Minimum</i>	<i>min 6.5</i>	8.1	0.097	7.906	<i>1 Step</i>
<i>pH (su) Maximum</i>	<i>max 9.0</i>	8.3	0.097	8.494	
<i>E. coli (#/100 ml)</i>	126	227	8060	16347	<i>None</i>
<i>TRC (mg/l)</i>	0.011	0.005	0.0053	0.0156	<i>None</i>
<i>BOD5, effluent (mg/l)</i>	30	40	17	74	<i>None</i>
<i>TSS, effluent (mg/l)</i>	75	30	14	58	<i>1 Level</i>
<i>Oil and Grease (mg/l)</i>	10	0	0	0	<i>3 Levels</i>

## B. Reporting

1. Discharge Monitoring Report – The Vista Verde Village, LLC facility must submit Discharge Monitoring Reports (DMRs) on a monthly basis to the Division. These reports should contain the required summarization of the test results for all parameters and monitoring frequencies shown in Part I.B of the permit. See the permit, Part I.B, C, D and/or E for details on such submission.
2. Special Reports – Special reports are required in the event of an upset, bypass, or other noncompliance. Please refer to Part II.A. of the permit for reporting requirements. As above, submittal of these reports to the US Environmental Protection Agency Region VIII is no longer required.

## C. Signatory and Certification Requirements

Signatory and certification requirements for reports and submittals are discussed in Part I.E.6. of the permit.

## D. Compliance Schedules

The following compliance schedules are included in the permit. See Part I.B of the permit for more information.

A compliance schedule for ammonia will be added to the permit

All information and written reports required by the following compliance schedules should be directed to the Permits Section for final review unless otherwise stated.

## E. Economic Reasonableness Evaluation

Section 25-8-503(8) of the revised (June 1985) Colorado Water Quality Control Act required the

Division to "determine whether or not any or all of the water quality standard based effluent limitations are reasonably related to the economic, environmental, public health and energy impacts to the public and affected persons, and are in furtherance of the policies set forth in sections 25-8-192 and 25-8-104."

The Colorado Discharge Permit System Regulations, Regulation No. 61, further define this requirement under 61.11 and state: "Where economic, environmental, public health and energy impacts to the public and affected persons have been considered in the classifications and standards setting process, permits written to meet the standards may be presumed to have taken into consideration economic factors unless:

- a. A new permit is issued where the discharge was not in existence at the time of the classification and standards rulemaking, or
- b. In the case of a continuing discharge, additional information or factors have emerged that were not anticipated or considered at the time of the classification and standards rulemaking."

The evaluation for this permit shows that the Water Quality Control Commission, during their proceedings to adopt the Classifications and Numeric Standards for San Juan and Dolores River Basin, considered economic reasonableness.

Furthermore, this is not a new discharger and no new information has been presented regarding the classifications and standards. Therefore, the water quality standard-based effluent limitations of this permit are determined to be reasonably related to the economic, environmental, public health and energy impacts to the public and affected persons and are in furtherance of the policies set forth in Sections 25-8-102 and 104. If the permittee disagrees with this finding, pursuant to 61.11(b)(ii) of the Colorado Discharge Permit System Regulations, the permittee should submit all pertinent information to the Division during the public notice period.

**Kenan Diker**  
**October 29, 2012**

## **VIII. REFERENCES**

- A. Colorado Department of Public Health and Environment, Water Quality Control Division Files, for Permit Number CO0037702.
- B. "Design Criteria Considered in the Review of Wastewater Treatment Facilities", Policy 96-1, Colorado Department of Public Health and Environment, Water Quality Control Commission, April 2007.
- C. Basic Standards and Methodologies for Surface Water, Regulation No. 31, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective January 1, 2012.
- D. Classifications and Numeric Standards for San Juan River and Dolores River Basins, Regulation No. 34, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective March 30, 2013.
- E. Colorado Discharge Permit System Regulations, Regulation No. 61, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective January 30, 2012.

- F. Regulations for Effluent Limitations, Regulation No. 62, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective July 30, 2012.
- G. Pretreatment Regulations, Regulation No. 63, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective April 01, 2007.
- H. Biosolids Regulation, Regulation No. 64, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective March 30, 2010.
- I. Colorado River Salinity Standards, Regulation No. 39, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective August 30, 1997.
- J. Section 303(d) List of Water Quality Limited Segments Requiring TMDLs, Regulation No 93, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective April 30, 2012.
- K. Antidegradation Significance Determination for New or Increased Water Quality Impacts, Procedural Guidance, Colorado Department of Public Health and Environment, Water Quality Control Division, effective December 2001.
- L. Memorandum Re: First Update to (Antidegradation) Guidance Version 1.0, Colorado Department of Public Health and Environment, Water Quality Control Division, effective April 23, 2002.
- M. Determination of the Requirement to Include Water Quality Standards-Based Limits in CDPS Permits Based on Reasonable Potential, Colorado Department of Public Health and Environment, Water Quality Control Division, effective December 2002.
- N. The Colorado Mixing Zone Implementation Guidance, Colorado Department of Public Health and Environment, Water Quality Control Division, effective April 2002.
- O. Baseline Monitoring Frequency, Sample Type, and Reduced Monitoring Frequency Policy for Domestic and Industrial Wastewater Treatment Facilities, Water Quality Control Division Policy WQP-20, May 1, 2007.
- P. Implementing Narrative Standards in Discharge Permits for the Protection of Irrigated Crops, Water Quality Control Division Policy WQP-24, March 10, 2008.
- Q. Implementing Narrative Standard for Toxicity in Discharge Permits Using Whole Effluent Toxicity (WET) Testing, Colorado Department of Public Health and Environment, Water Quality Control Division Policy Permits-1, September 30, 2010.
- R. Policy for Conducting Assessments for Implementation of Temperature Standards in Discharge Permits, Colorado Department of Public Health and Environment, Water Quality Control Division, Policy Number WQP-23, effective July 3, 2008.
- S. Policy for Permit Compliance Schedules, Colorado Department Public Health and Environment, Water Quality Control Division Policy Number WQP-30, effective December 2, 2010.

- T. Procedural Regulations for Site Applications for Domestic Wastewater Treatment Works, Regulation No. 22, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective September 30, 2009.
- U. Regulation Controlling discharges to Storm Sewers, Regulation No. 65, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective May 30, 2008.
- V. Water and Wastewater Facility Operator Certification Requirements, Regulation No. 100, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective September 30, 2007.

**Kenan Diker**  
**October 29, 2012**

## **VIII. PUBLIC NOTICE COMMENTS**

The public notice period was from November 16, 2012 to December 17, 2012. No comments were received during the public notice period.

**Kenan Diker**  
**December 17, 2012**